

**From:** [VanderHulst, Lisa {PEP}](#)  
**To:** [Smith, Robert H](#); [Lillemoen, Marc {PEP}](#)  
**Cc:** [Mayhugh, Robert](#)  
**Subject:** RE: Pepsi: Info Needed for draft Settlement  
**Date:** Friday, November 18, 2022 6:42:31 AM  
**Attachments:** [image001.png](#)

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Thanks for your time yesterday – we appreciate the opportunity to share additional facts related to this case. We will work to expedite this process internally and get this resolved.

**Lisa VanderHulst**

Vice President, EHS | 269.425.9741



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**From:** Smith, Robert H <[smith.roberth@epa.gov](mailto:smith.roberth@epa.gov)>  
**Sent:** Thursday, November 17, 2022 4:15 PM  
**To:** Lillemoen, Marc {PEP} <[Marc.Lillemoen@pepsico.com](mailto:Marc.Lillemoen@pepsico.com)>; VanderHulst, Lisa {PEP} <[Lisa.VanderHulst@pepsico.com](mailto:Lisa.VanderHulst@pepsico.com)>  
**Cc:** Mayhugh, Robert <[mayhugh.robert@epa.gov](mailto:mayhugh.robert@epa.gov)>  
**Subject:** Pepsi: Info Needed for draft Settlement

**WARNING:** Email originated outside of PepsiCo.

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Marc and Lisa,

Please forward to the rest of your group as I only have your two emails in front of me.

Thank you all for a productive meeting today where we discussed the possibility of settling the alleged violations for \$152,622. I appreciate your presentation on actions taken to prevent future release reporting violations. For the draft settlement document (CAFO) please provide:

1. Name of Pepsi entity to be used in document
2. Person name and title with authority to sign the document (often the plant manager)
3. Your preferred method of payment: cashier's or certified check; electronic funds transfer; Automated Clearinghouse (ACH) also known as REX or remittance express; or pay on-line at [www.pay.gov](http://www.pay.gov).
4. Since the parties will consent to service of this CAFO by email, please provide an email recipient that will accept service. This is often the attorney for the company but you can provide a different person if desired.

In this settlement there will be separate payments for the one CERCLA count (NRC notification) and 4 other EPCRA counts. The CERCLA portion will be \$30,524 and the EPCRA portion will be \$122,098. The reason for this is that CERCLA payments go to a different fund.

I look forward to your response on the proposed settlement amount and quickly resolving this matter. Please send the SERC and LEPC written follow-up reports at your first convenience so that we can review them.

Thanks,  
-Rob

*Robert H. Smith*

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